

17-52-501 County commission form of government.

- (1) Each county operating under the county commission form of government shall be governed by a county commission consisting of three members.
- (2) A county commission under a county commission form of government is both the county legislative body and the county executive and has the powers, duties, and functions of a county legislative body under Chapter 53, Part 2, County Legislative Body, and the powers, duties, and functions of a county executive under Chapter 53, Part 3, County Executive.
- (3) Except as otherwise provided in an optional plan adopted under this chapter:
 - (a) the term of office of each county commission member is four years;
 - (b) the terms of county commission members shall be staggered so that two members are elected at a regular general election date that alternates with the regular general election date of the other member; and
 - (c) each county commission member shall be elected at large, unless otherwise required by court order.
- (4)
 - (a) If two county commission positions are vacant for an election, the positions shall be designated "county commission seat A" and "county commission seat B."
 - (b) Each candidate who files a declaration of candidacy when two positions are vacant shall designate on the declaration of candidacy form whether the candidate is a candidate for seat A or seat B.
 - (c) No person may file a declaration of candidacy for, be a candidate for, or be elected to two county commission positions in the same election.

Renumbered and Amended by Chapter 133, 2000 General Session